

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Monday 19th March, 2018

No. 118

**SIKKIM STATE ELECTRICITY REGULATORY COMMISSION,
GANGTOK**

No: 16/SSERC/SLDC-Fee/2017

Date: 06.11.2017

NOTIFICATION

In exercise of the powers conferred under sub section (2) of Section 181 read with section (3) of section 32 of the Electricity Act, 2003 and all powers enabling it in that behalf the Sikkim State Electricity Regulatory Commission hereby makes the following Regulations, namely:

Sikkim State Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch Centre) Regulations, 2017.

1. Short title, extent and commencement-

- (1) These Regulations may be called the Sikkim State Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch Centre) Regulations, 2017.
- (2) They shall come into force from the date of publication in the Gazette of Sikkim.
- (3) They shall apply to the licensees engaged in intra-State transmission of electricity and generating stations that are monitored and despatched by the SLDC in the State of Sikkim. These Regulations shall not be applicable to generating stations of installed capacity below 1 (One) Mega Watt.

2. Definitions

- (1) In these regulations, unless the context otherwise requires-
 - (a) "Act" means The Electricity Act 2003;
 - (b) "Billing month " means the calendar month ending with the last day of the month;
 - (c) "Commission" means the Sikkim State Electricity Regulatory Commission;
 - (d) "Financial Year" means the year commencing from first day of April, and ending on the thirty-first day of March of the following year;
 - (e) "intra-State transmission system" means any system for transmission of electricity other than an inter-state transmission system;
 - (f) "State Government" means the Government of Sikkim;

- (g) "State Load Despatch Centre (SLDC)" means the load despatch centre established in Sikkim by the Government of Sikkim;
- (h) "state transmission utility" means the transmission wing of the Energy & Power Department, Government of Sikkim which will act as the state transmission utility till such time a separate transmission corporation/utility is established by a notification issued by the Government of Sikkim, under the Act;

(2) Words and phrases which are not defined in this regulation shall have the same meaning as found in the Electricity Act 2003. In case of any inconsistency in the words and phrases between the Act and in these Regulations, the provisions of the Act will prevail.

3. Fee and SLDC charges

Levy and Collection of Fee and SLDC Charges from Generating Stations and Transmission Licensees

- (1) All expenses incurred by the SLDC, shall be accounted for separately.
- (2) For the discharge of its functions as specified in section 32 of the Act, expenses incurred by the SLDC shall be recovered from the Generating stations monitored and despatched by the SLDC and the Transmission Licensees.
- (3) Each of the Generating stations monitored and despatched by SLDC and Transmission Licensees which come under the purview of these Regulations shall submit an application to the SLDC in the specified format at least one month before the proposed date of connection to the State Grid, along with Fee of **Rs.10, 000 (Rupees Ten Thousand only)**. The existing Transmission Licensees and Generating Stations, which come under the purview of these Regulations, shall register themselves with the SLDC by filing an application along with the above mentioned fees.
- (4) The SLDC, after scrutinising the application and after being satisfied of the completeness and correctness of the information furnished in the application, shall register the application in SLDC records duly intimating the applicant regarding the acceptance.
- (5) The SLDC charges to be recovered from the Generating Stations monitored and despatched by SLDC and Transmission Licensees shall be determined taking into account the following expenses:
 - a) Employee Cost
 - b) Administration and general Charges
 - c) Repairs and Maintenance Expenses
 - d) Depreciation
 - e) Interest and finance charges
 - f) Interest on working capital, if any
 - g) Return on equity/Investments
 - h) Any other expenses incidental to discharging the functions of SLDC.
- (6) Basis for collection of SLDC charges:

The State Load Despatch Centre charges shall be payable monthly by the licensees, generating companies (including captive generating plants), distribution licensees and trading licensees using the intra-State transmission network under any agreement or arrangement with the transmission licensee in proportion to the capacity contracted.

The State Load Despatch Centre charges payable by users shall be determined by the Commission in accordance with following formula:-

State Load Despatch

$$\text{Centre Charges} = \frac{\{\text{SLDC ARR (Rs.Cr)} \div \text{Total Contracted Capacity (MW)}\} \times \{\text{Contracted Capacity of User (MW)}\}}$$

Where,

State Load Despatch Centre ARR – is as determined under these Regulations

Total Contracted Capacity – is the total capacity of the State in MW.

4. Filing of Annual Revenue Requirement (ARR) by the SLDC

- (1) Not later than four months before the commencement of the Financial Year, the SLDC shall provide to the Commission, full details of its calculations of the estimated ARR for the ensuing Financial Year and proposed allocation of charges to transmission licensees and generating stations. The details shall also be furnished to the Generating Stations and Transmission Licensees simultaneously.
- (2) The details of calculation of the expenses and other related information shall be provided in the format prescribed in the Annexures 1 to 14.
- (3) The details of capital investment programme for the ensuing year shall be furnished along with the ARR filing. For projects costing above Rupees one crore, specific prior approval of the Commission, in respect of each of the projects shall be obtained duly furnishing the Detailed Project Report (DPR) for such works, with full details.
- (4) The ARR shall be filed, in the form of a petition, by the SLDC in Six sets with each format signed by an authorised officer of the SLDC, who shall be responsible for verifying and certifying the correctness thereof.
- (5) The ARR filed by the SLDC shall be scrutinised by the Commission and as a result of such scrutiny, the Commission may, within fifteen working days, call for such further information and clarification as may be required.
- (6) The Commission may get the books/records of SLDC examined by its officers and/or by any authorised person at any point of time during the pendency of the petition or otherwise. The reports of the officers etc., shall be made available to the parties concerned and they shall be given opportunity to reply/respond to the reports. The Commission shall duly take into account the report or the opinion given by the officers and/ or by any authorised person and the reply filed by the parties thereon, and if considered necessary, the Commission may examine the person giving the reports or the opinion, while deciding the matter.
- (7) Upon the Commission being satisfied that all the information and clarification sought for by it have been produced and that sufficient opportunity has been afforded to all the parties concerned, the Commission will pass appropriate orders on the ARR. The Commission will also determine the SLDC charges recoverable from the Generating stations monitored and despatched by SLDC and the Transmission Licensees in the first ARR.
- (8) The SLDC charges so determined by the Commission shall be valid till the approval of next revision of charges. SLDC shall seek revision of charges only when the ARR for any year varies by plus or minus 10% of the ARR considered at the time of previous determination of SLDC charges.
- (9) SLDC shall file ARR every year even when no revision of charges is required. The Commission will validate the ARR and pass appropriate orders.

- (10) In the event of non-revision of SLDC charges during any year, any variation (shortfall or excess) in recovery of SLDC charges, shall be carried forward to the next financial year and adjusted as may be decided by the Commission.
- (11) The SLDC shall submit periodic returns containing operational and cost data, as may be prescribed by the Commission.
- (12) All filings shall be in conformity with the stipulations made in these Regulations.

BILLING AND COLLECTION OF SLDC CHARGES

5. Billing of SLDC Charges:

- a) The SLDC shall furnish necessary monthly bills at the rate of one twelfth of the annual charges as approved by the Commission, to the Generating stations monitored and despatched by SLDC and the Transmission Licensee for each billing month within SEVEN DAYS after the last day of the preceding month.
- b) The Generating Companies and the Transmission Licensees shall make payment to the SLDC of the amounts due within FIFTEEN DAYS of the date of receipt of the bill.
- c) If the payment is not made within the due date, a penal interest at the rate of SBI Prime Lending Rate PLUS TWO percent per annum shall be payable on the unpaid amounts.
- d) Priority for Payment of SLDC Charges: The Generating stations monitored and despatched by SLDC and the Transmission Licensees shall arrange payment of the SLDC Charges on a first charge basis over all other payments except statutory payments.
- e) Disputes in billing: Disputes arising out of billing of SLDC charges shall be, as far as possible, settled by mutual negotiations. If the disputes are not resolved through mutual negotiations within SIXTY DAYS of the receipt of the bills, the matter shall be referred to the Commission through a petition by either of the parties. The decision of the Commission shall be binding on both the parties.
- f) Pending resolution of the dispute 90% of the bill amount shall be paid under protest within the due date.

6. Miscellaneous

- (1) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice.
- (2) Nothing in these regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these regulations, if the Commission, in view of the special circumstances of a matter or a class of matters and for reasons to be recorded in writing, deems it just or expedient for deciding such matter or class of matters.
- (3) Nothing in these regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

By Order of the Commission

Secretary
Sikkim State Electricity Regulatory Commission

Annexure-1

ANNUAL REVENUE REQUIREMENT OF SLDC FOR THE YEAR.....(Rs. in Lakhs)

Sl.No	Particulars	Annexure No.	Previous Year/Actuals	Current Year Actuals for first six months and estimate for the balance period	Ensuing Year (Estimates)	Remarks
1	Employee Cost					
2	Administrative & General Charges					
3	Repair & Maintenance expenses					
4	Depreciation					
5	Interests and Finance Charges					
6	Interest on Working Capital					
7	Other Expenses					
8	Prior Period Adjustments					
9	Return on Capital Investment					
10	Total Revenue Requirement					
11	Less other income(Fee etc)					
12	Net ARR					

ESTIMATED REVENUE FROM GENERATING STATIONS AND TRANSMISSION LICENSEE FOR THE YEAR.....
(Rs. In Lakhs)

Sl.No	Particulars	Generation Capacity in MWs and Transmission Capacity MW.Km	Previous Year	Current Year (Actuals for first six months and estimate for the balance period)	Ensuing Year (Estimates)	Remarks
1Generating Station.					
2Generating Station					
3Generating Station					
	Total from Generating Station					
1Transmission Licensee					
2Transmission Licensee					
	Total from Transmission Licensee					
	Total					

Annexure-3

EMPLOYEE COST (Rs. In Lakhs)

Sl. No	Particulars	Previous Year (Actuals)	Current Year (Actuals for first six months and estimate for the balance period)	Ensuing Year (Estimates)	Remarks
1	Salaries				
2	Over Time/Double Wages				
3	Dearness Allowances				
4	Other Allowances				
5	Bonus/Ex-Gratia				
6	Sub Total (1to5)				
7	Medical Expenses				
8	Leave Travel Allowance				
9	Earned Leave Encashment				
10	Other Expenses towards employees cost				
11	Sub-Total (7 to 10)				
12	Staff Welfare Expenses				
13	Terminal Benefits/Provisions				
14	Sub-total (12 to 13)				
15	Grand Total				

Annexure-4												
EMPLOYEES' COST ADDITIONAL INFORMATION												
Sl. No	Category of Employees	Previous Year			Current Year			Ensuing Year				
		Nos.		Cost	Nos.		Cost	Nos.		Cost		
		Sanctioned	Working	Rs.in Lakhs	Sanctioned	Working	Rs.in Lakhs	Sanctioned	Working	Rs.in Lakhs		
1	Board of Directors											
2	Chief Engineer and Equivalent											
3	S.E and Equivalent											
4	E.E and Equivalent											
5	A.E and Equivalent											
6	Add other Staffs											
	Total											
Note: The numbers of employees be given on a consistent year end basis												
The cost columns should include remuneration for actual number of employees working												

Annexure-5

ADMINISTRATION AND GENERAL EXPENSES (Rs. In Lakhs)

Sl. No	Particulars	Previous Year (Actuals)	Current Year (Actuals for available period and estimate for balance period)	Estimate for ensuing year	Remarks
1	Rents, Rates and Taxes				
2	Security Arrangements				
3	Insurance				
4	Telephone charges, Postage ,Telegram, Telex and Fax Charges				
5	V Sat,Internet Related Charges				
6	Legal Charges				
7	Audit Fees				
8	Consultancy Charges				
9	Technical Fees				
10	Other professional charges				
11	Travelling Expenses				
12	Conveyance & Vehicle Hire Charges				
13	Su-Total (1to 12)				
14	Other Expenses				
a	Fees and Subscription				
b	Books and periodicals				
c	Computer Stationery				
d	Printing & Stationery				

Sl. No	Particulars	Previous Year (Actuals)	Current Year (Actuals for available period and estimate for balance period)	Estimate for ensuing year	Remarks
e	Advertisement				
f	Contributions/Donations				
g	Electricity charges				
h	Water charges				
i	Entertainment charges				
j	Miscellaneous charges				
15	Sub -total (a to j)				
16	Freight				
17	Other purchase and related expenses				
18	Grand Total				

Note: In case the expense is more than Rupees One Crore full details of such expenses shall be furnished separately.

Annexure-6

REPAIRS AND MAINTENANCE CHARGES (Rs.in Lakhs)

Sl. No	Particulars	Consumption of Stores	Other O&M expenses	Total	Consumption of Stores	Other O&M expenses	Total	Consumption of Stores	Other O&M expenses	Total
Repair & Maintenance to:										
1	Plant & Machinery									
2	Buildings									
3	Other Civil Works									
4	Cable Network									
5	Vehicles									
6	Furnitures & fixtures									
7	Office Equipments									
8	Others									
	Total									

DEPRECIATION (Rs.in Lakhs)

Sl. No	Description of Assets	Opening Balance of the accumulated depreciation at the beginning of the year	Addition during the year	Depreciation Provided for the year	Withdrawal of Depreciation	Closing balance of the accumulated depreciation at the end of the year	Opening Balance of the accumulated depreciation at the beginning of the year	Addition during the year	Depreciation Provided for the year	Withdrawal of Depreciation	Closing balance of the accumulated depreciation at the end of the year	Opening Balance of the accumulated depreciation at the beginning of the year	Addition during the year	Depreciation Provided for the year	Withdrawal of Depreciation	Closing balance of the accumulated depreciation at the end of the year
1	Land and Rights															
2	Buildings/Structures/ Civil works															
3	Plant & Machinery															
4	Cables & Network															
5	Communication Equipment															
6	Air conditioning plant															
7	Furniture & Fixtures															
8	Office Equipment															
9	Vehicles															
10	Assets Taken over and pending final valuation															
11	Miscellaneous Equipments/ Items															
Total																

Annexure-8

INTEREST AND FINANCE CHARGES (Rs. in Lakhs)

Sl. No.	Name of the Institution	Loan Amount/ Date of drawal of first installment	Loan Tenure (years)	Rate of Interest (%)	Balance Outstanding at the beginning of the year	Amount received during the year	Principal Amount repaid during the year	Balance Outstanding at the end of the year	Interest due for the year	Remarks
1	Loan from Govt.									
2	Loan from others-Secured									
	a)									
	b)									
	c)									
	Total									
3	Loans from others-Unsecured									
	a)									
	b)									
	c)									
	Total									
4	Short term loans/Borrowing for working capital									
	a)									
	b)									
	c)									
	Total									
5	Others									
	a)									
	b)									
	c)									
	Total									
	GRAND TOTAL :									

NOTE: The relevant Loan documents are to be furnished in support of above details. The Details in this format are to be furnished for current Year (Actual cum Estimates) and Estimate for the Ensuing Year.

Annexure-9

INTEREST ON WORKING CAPITAL (Rs. in Lakhs)

Sl. No.	Source of Borrowing / Name of the Institution	Amount borrowed during the year	Rate of interest	Period of borrowing	Amount of interest	Remarks
1						
2						
3						
4						
5						
6						
7						
8						
GRAND TOTAL						

NOTE: The relevant documents are to be furnished in support of above details. The Details in this format are to be furnished separately for Previous Year (Actuals), Current Year (Actual cum Estimates) and Estimate for the Ensuing Year.

Annexure-10					
OTHER EXPENSES (Rs. in Lakhs)					
Sl. No.	Particulars of Expenses	Previous Year	Current Year (Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
1					
2					
3					
4					
5					
6					
7					
8					
Total					

Annexure-11					
PRIOR PERIOD ADJUSTMENTS (Rs. in Lakhs)					
Sl. No.	Particulars	Previous Year	Current Year (Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
1					
2					
3					
4					
5					
6					
7					
8					
Total					

Annexure-12

RETURN ON INVESTMENTS (Rs. in Lakhs)

[illegible]

Annexure -13					
OTHER INCOME (Rs. in Lakhs)					
Sl. No.	Particulars	Previous Year	Current Year (Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
1					
2					
3					
4					
5					
6					
7					
8					
Total					

Annexure-14

APPLICATION FOR REGISTRATION WITH THE SLDC

Sl. No.	Particulars	
1	Name of the Applicant:	
2	Status of Applicant (i.e, Generating Station or Transmission Licensee or Beneficiary)	
3	Registered Address:	
4	Phone No./Fax/E-mail ID:	
5	Capacity :Installed Capacity in MW in case of Generating Station ; Contracted Transmission Capacity in MW in case of Transmission Licensee/Beneficiary;	
6	Proposed date of connection with the State Grid:	
7	Details of Inter-connection point (enclose separate sheet if necessary):	
8	Details of Transmission system in case of Transmission Licensee (enclose separate sheet if necessary):	
9	DD No. and Date towards Registration Fee payable to SLDC:	
	Undertaking :	
	We hereby undertake to abide by the instructions issued by the SLDC for ensuring the integrated, efficient and economical operation of power system in the State.	
	NOTE : The SLDC may prescribe and collect necessary technical details from the Generating Stations, Transmission Licensees and Beneficiaries.	Signature of the Authorized Officer

S.G.P.G. - 118/ Com. 2/Gazette /100 Nos./ Dt:- 19.03.2018.